



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/966,912	11/06/97	YAMAKITA	T 970674/LH

LM01/1001

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EXAMINER

CHAWAN, V

ART UNIT

PAPER NUMBER

2741

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DATE MAILED:

10/01/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/966,912

Applicant(s)

Yamakita

Examiner

Vijay Chawan

Group Art Unit

2741



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-9 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-9 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 and 4

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

5           The specification shall conclude with one or more claims particularly pointing out  
and distinctly claiming the subject matter which the applicant regards as his  
invention.

2. Claims 3, 4 and 9 are rejected under 35 U.S.C. 112, second paragraph, as  
being indefinite for failing to particularly point out and distinctly claim the subject  
matter which applicant regards as the invention.

10           - Claims 3 and 4: the phrase "... said means...", is vague and indefinite in  
that it is not clear as to what that phrase means. "said means", does not clarify  
which means are being referred to.

- claim 9: The claim as written is not clear and does not clearly point out  
what the applicant regards as his invention.

- 15           3. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being  
incomplete for omitting essential structural cooperative relationships of elements,  
such omission amounting to a gap between the necessary structural connections.  
See MPEP § 2172.01. The omitted structural cooperative relationships are: The

claim as written is supposedly a speech recognition system, but the claim itself does not show any kind of speech recognition activity. The claim as written, it is not clear where the preamble stops and the limitations begin. It is not clear what the applicant regards as his patentable invention.

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***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371<sup>9</sup> of this title before the invention thereof by the applicant for patent.

5. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Hashimoto et al., (5,632,002).

15

As per claims 1 and 7, Hashimoto et al., teach a speech recognition interface system suitable for window systems and speech mail systems comprising the steps of:

means for receiving speech data transmitted (figs, 8 and 17);

means for recognizing the received speech data and converting the speech

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data into document data;

means for extracting a word from the converted document data and  
generating formatted text data on the basis of the extracted word (Figs. 19, 20A  
(text editor), Fig 55, Col.58, lines 45-65, Col.60, lines 46-48); and,

means for transmitting the generated formatted text data through said  
5 communication network (Fig.19).

As per claims 2, 5, 6 and 8, Hashimoto et al., teach generation means  
including a means for searching for a word associated with a destination from the  
converted document data to specify the destination (Fig.53, Col.3, lines 29-67,  
Col.4, lines 1-12, Col.58, lines 45-65).

10 As per claims 3 and 4, Hashimoto et al., teach means for specifying e-mail  
and Fax destinations (Col.60, lines 46-48, Col.58, lines 45-65).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to  
applicant's disclosure.

15 Yoshida et al., (5,128,985) teach a communication system having a plurality of  
voice communication terminals and a data communication terminal.

Baji et al., (5,163,111) teach a customized personal terminal device.

Ishii et al., (5,182,765) teach a speech recognition system with an accurate  
recognition function.

Abe (5,280,520), teaches an apparatus for speech and data communication.

Sawada (5,465,326) teaches mixed mode transmission control apparatus for adding an identification block to mixed mode data.

Takebayashi et al., (5,577,165) teaches a speech dialogue system for facilitating improved human-computer interaction.

Katsumaru et al., (5,625,675) teach a voice mail communication system.

Hirotsu (5,758,332) teach an information service providing system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay Chawan whose telephone number is (703) 305-3836.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth, can be reached at (703) 308-4825.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

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(703) 305-9508 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

- 5 Any inquiry of a general nature or relating to the status of this application should  
be directed to the Group Receptionist whose telephone number is (703)305-3900.

Vijay Chawan  
September 27, 1998

  
DAVID R. HUDSPETH  
SUPERVISORY PATENT EXAMINER  
GROUP 2700